

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**UNITED STATES OF AMERICA,**  
**Respondent/Plaintiff,**

**vs.**

**TAMMIE JEANNE WARNER,**  
**Movant/Defendant.**

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**No. 3:97-CR-0094-H (01)**

**No. 3:04-CV-1767-H**

**ECF**


**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

As found in the Findings, Conclusions, and Recommendation of the Magistrate Judge, movant's release from incarceration has rendered the instant motion to vacate filed pursuant to 28 U.S.C. § 2255 and related motion for summary judgment (doc. 86 in criminal case) moot. Consequently, the Court hereby **DENIES** the motion for summary judgment as moot. By separate judgment, the Court will formally dismiss the § 2255 motion consistent with the Findings, Conclusions, and Recommendation entered in this case.

**SO ORDERED.**

**SIGNED this 7<sup>th</sup> day of March, 2007.**

  
**BAREFOOT SANDERS, SENIOR JUDGE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS**